

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI

QUINTERO COMMUNITY )  
ASSOCIATION, *et al.*, )  
Plaintiffs, )  
v. )  
FEDERAL DEPOSIT INSURANCE )  
COMPANY AS RECEIVER FOR )  
HILLCREST BANK, *et al.*, )  
Defendants. )

Case No. 4:11-cv-00893-DGK

**SEPARATE DEFENDANTS WHEELER,  
ASNER, BLITT, CAMPBELL, J. FINGERSH, P. FINGERSH, WHITE,  
DEGEN, GERVY, RICHARDS, DAVIES, LIEBERMAN, FORGEY, DAVIS,  
HOLDEMAN, SCHWARTZKOPF, GALLATIN, SCHNEIDER AND HILLCREST  
BANCSHARES' MOTION TO DISMISS PLAINTIFFS' OMNIBUS PETITION**

COME NOW Defendants Jeffrey F. Wheeler, Scott I. Asner, Irwin Blitt, Robert J. Campbell, Jack N Fingersh, Paul S. Fingersh, Gerald M. White, G. Richard Degen, Tim Gervy, Joel Richards, Thomas J. Davies, George A. Lieberman, Jon Forgey, Nicole Davis, Wanda Holdeman, Dan Schwartzkopf, Sue Gallatin, Brian K. Schneider, and Hillcrest Bancshares (collectively, "Movants"), by and through undersigned counsel, pursuant to Federal Rule of Civil Procedure 12(b)(6) and 12(e), and move to dismiss the Omnibus Petition filed by Plaintiffs (ECF Doc. 56) and move to be dismissed as parties from this action because a) Plaintiffs have failed to comply with this Court's Order requiring them to "clearly and concisely" state their claims against these Defendants and b) said Petition fails to state a claim for relief against them that is plausible on its face.

The Suggestions in Support of this motion filed herewith are incorporated by reference herein.

Respectfully submitted,

LEWIS, RICE & FINGERSH, L.C.

By: /s/ Thomas R. Larson

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DAVIS, HOLDEMAN, SCHWARTZKOPF,  
GALLATIN, SCHNEIDER, AND HILLCREST  
BANCSHARES

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by first-class mail, postage prepaid, and via the Court's ECF system on this 20<sup>th</sup> day of July, 2012, upon:

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/s/ Thomas R. Larson

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